

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

cr

SPECIAL CIVIL APPLICATION No 4629 of 1997

For Approval and Signature:

Hon'ble MR.JUSTICE M.R.CALLA

=====

1. Whether Reporters of Local Papers may be allowed to see the judgements?
2. To be referred to the Reporter or not?
3. Whether Their Lordships wish to see the fair copy of the judgement?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
5. Whether it is to be circulated to the Civil Judge?
1 to 5 No

GULAM GOSS ALIAS MAHMED HANIFMAHMED MALAM

Versus

STATE OF GUJARAT

Appearance:

MR KK TRIVEDI for Petitioner

Mr.Kodekar for

M/S PATEL ADVOCATES for Respondent No. 1

MR MD PANDYA for Respondent No. 2

Mr.Mukesh Patel, learned A.G.P.

for Respondent No. 3, 4

CORAM : MR.JUSTICE M.R.CALLA

Date of decision: 23/09/97

ORAL JUDGEMENT

Rule. Mr. Kodekar waives service of Rule on behalf of respondent No.1, Mr.Pandya waives service of rule on behalf of respondent No.2 and Mr. Mukesh Patel waives service of rule on behalf of respondents Nos.3 and

4. On the request of the parties the matter is taken up for hearing today.

Notice of this petition had been issued and in response thereto the respondents have entered into appearance. Mr.Pandya appearing for respondent No.2 has pointed out that the decision is to be taken by the State of Gujarat. Mr.Kodekar submits that should the petitioner approach the State of Gujarat by making a proper representation, the Government may pass appropriate orders thereon in accordance with law.

In the facts and circumstances of this case, it is hereby ordered that this Writ Petition, which had been duly served upon the State of Gujarat, shall be treated as a representation including objections and the concerned respondent shall decide and pass appropriate orders in accordance with law on consideration of all the grounds raised in this petition and such other grounds, which the petitioner and other concerned parties may feel advised to raise. The concerned authority shall afford an opportunity of hearing to the petitioner and other concerned parties before passing the orders, as observed above. The concerned authority may pass appropriate orders at the earliest possible opportunity preferably within a period of six months.

This Special Civil Application is accordingly disposed of. Rule is made absolute to the extent indicated above. No order as to costs.